

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

LISA TORREY, *et al.*,

Plaintiffs,

v.

INFECTIOUS DISEASES SOCIETY OF  
AMERICA, *et al.*,

Defendants.

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CIVIL ACTION NO. 5:17-CV-00190-RWS

**ORDER**

Before the Court is Defendant Infectious Diseases Society of America's ("Defendant") Unopposed Motion for Entry of Its Bill of Costs. Docket No. 417. For the reasons stated below, the motion is hereby **GRANTED**. Under Federal Rule of Civil Procedure 54(d)(1), costs—other than attorney's fees—should generally be awarded to the prevailing party. FED. R. CIV. P. 54(d)(1). Title 28 U.S.C. § 1920 defines the term "costs" as used in Rule 54(d)(1). *Crawford Fitting Co. v. J.T. Gibbons, Inc.*, 482 U.S. 437, 441 (1987). Under Section 1920, a district court may award the following "costs":

- (1) Fees of the clerk and marshal;
- (2) Fees for printed or electronically recorded transcripts necessarily obtained for use in the case;
- (3) Fees and disbursements for printing and witnesses;
- (4) Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case;
- (5) Docket fees under section 1923 of Title 28; and
- (6) Compensation of court appointed experts, compensation of interpreters, and salaries, fees, expenses, and costs of special interpretation services under section 1828 of Title 28.

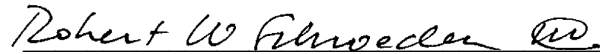
28 U.S.C. § 1920. While a district court may decline to award costs listed in the statute, it may not award costs omitted from the statute. *Core Wireless Licensing S.a.r.l. v. LG Elecs., Inc.*, No.

2:14-CV-00912-JRG, 2020 WL 1557492, at \*2 (E.D. Tex. Apr. 1, 2020) (citing *Crawford Fitting Co.*, 482 U.S. at 441–43). In any event, “Rule 54(d)(1) contains a strong presumption that the prevailing party will be awarded costs.” *Pacheco v. Mineta*, 448 F.3d 783, 793 (5th Cir. 2006) (citing *Schwarz v. Folloder*, 767 F.2d 125, 131 (5th Cir. 1985)).

Here, Defendant requests the following recoverable costs: fees of the clerk (\$300.00), fees for recorded transcripts necessarily obtained for use in the case (\$32,297.76), fees for the costs of making copies of materials necessarily obtained for use in the case (\$387.30) and compensation of a court appointed medical examiner (\$10,955.00). *Id.* at 2–3. Plaintiffs do not oppose Defendant’s motion. Docket No. 419. Accordingly, it is

**ORDERED** that Defendant Infectious Diseases Society of America shall recover \$43,940.06 in unobjected to costs from Plaintiffs.

**So ORDERED and SIGNED this 4th day of October, 2022.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE